



Minnesota Pollution
Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

MS4 SWPPP Application for Reauthorization

for the NPDES/SDS General Small Municipal Separate
Storm Sewer System (MS4) Permit MNR040000
reissued with an effective date of August 1, 2013
Stormwater Pollution Prevention Program (SWPPP) Document

Doc Type: Permit Application

Instructions: This application is for authorization to discharge stormwater associated with Municipal Separate Storm Sewer Systems (MS4s) under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit Program. **No fee** is required with the submittal of this application. Please refer to "Example" for detailed instructions found on the Minnesota Pollution Control Agency (MPCA) MS4 website at <http://www.pca.state.mn.us/ms4>.

Submittal: This MS4 SWPPP Application for Reauthorization form must be submitted electronically via e-mail to the MPCA at ms4permitprogram.pca@state.mn.us from the person that is duly authorized to certify this form. All questions with an asterisk (*) are required fields. All applications will be returned if required fields are not completed.

Questions: Contact Claudia Hochstein at 651-757-2881 or claudia.hochstein@state.mn.us, Dan Miller at 651-757-2246 or daniel.miller@state.mn.us, or call toll-free at 800-657-3864.

General Contact Information (*Required fields)

MS4 Owner (with ownership or operational responsibility, or control of the MS4)

*MS4 permittee name: City of Fairmont *County: Martin
(city, county, municipality, government agency or other entity)

*Mailing address: 100 Downtown Plaza

*City: Fairmont *State: MN *Zip code: 56031

*Phone (including area code): 507-238-9461 *E-mail: tcowing@fairmont.org

MS4 General contact (with Stormwater Pollution Prevention Program [SWPPP] implementation responsibility)

*Last name: Cowing *First name: Tyler
(department head, MS4 coordinator, consultant, etc.)

*Title: Water Resources Technician

*Mailing address: 100 Downtown Plaza

*City: Fairmont *State: MN *Zip code: 56031

*Phone (including area code): 507-238-3948 *E-mail: tcowing@fairmont.org

Preparer information (complete if SWPPP application is prepared by a party other than MS4 General contact)

Last name: Cowing First name: Tyler
(department head, MS4 coordinator, consultant, etc.)

Title: Water Resources Technician

Mailing address: 100 Downtown Plaza

City: Fairmont State: MN Zip code: 56031

Phone (including area code): 507-238-3948 E-mail: tcowing@fairmont.org

Verification

1. I seek to continue discharging stormwater associated with a small MS4 after the effective date of this Permit, and shall submit this MS4 SWPPP Application for Reauthorization form, in accordance with the schedule in Appendix A, Table 1, with the SWPPP document completed in accordance with the Permit (Part II.D.). ☒ Yes
2. I have read and understand the NPDES/SDS MS4 General Permit and certify that we intend to comply with all requirements of the Permit. ☒ Yes

Certification (All fields are required)

- ☒ Yes - I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

I certify that based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of civil and criminal penalties.

This certification is required by Minn. Stat. §§ 7001.0070 and 7001.0540. The authorized person with overall, MS4 legal responsibility must certify the application (principal executive officer or a ranking elected official).

By typing my name in the following box, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing my application.

Name: Troy Nemmers
(This document has been electronically signed)

Title: Director of Public Works/City Engineer Date (mm/dd/yyyy): 12/20/2013

Mailing address: 100 Downtown Plaza

City: Fairmont State: MN Zip code: 56031

Phone (including area code): 507-238-3942 E-mail: tnemmers@fairmont.org

Note: The application will not be
processed without certification.

Stormwater Pollution Prevention Program Document

I. Partnerships: (Part II.D.1)

- A. List the **regulated small MS4(s)** with which you have established a partnership in order to satisfy one or more requirements of this Permit. Indicate which Minimum Control Measure (MCM) requirements or other program components that each partnership helps to accomplish (List all that apply). Check the box below if you currently have no established partnerships with other regulated MS4s. If you have more than five partnerships, hit the tab key after the last line to generate a new row.

☒ No partnerships with regulated small MS4s

Name and description of partnership	MCM/Other permit requirements involved
Minnesota Department of Transportation Work with the Minnesota Department of Transportation in managing and maintaining the storm sewer system along Highway 15.	MCM #6
Martin County Soil and Water Conservation District (non-MS4) Helps the City of Fairmont by providing educational material about stormwater and water quality to the general public in our county. They setup workshops about stormwater and work with the city and residents on lakeshore and water quality improvements on their property.	MCMs #1,2
Fairmont Lakes Foundation (non-MS4) Work within the community to promote, water quality, boating etiquette, the use of our natural resources, and provide a voice for the public concerns on the chain of lakes in Fairmont. Works on lakeshore cleanup, maintain aerators in the Fairmont lakes, hold fishing tournaments, among other activities that involve public participation.	MCMs #1,2
Martin County (non-MS4) The county helps the city by providing the residents of Fairmont a recycling and hazardous waste disposal program. The county educates the public on how to dispose of waste and informs them on where they can dispose of waste appropriately.	MCM #3

- B. If you have additional information that you would like to communicate about your partnerships with other regulated small MS4(s), provide it in the space below, or include an attachment to the SWPPP Document, with the following file naming convention: *MS4NameHere_Partnerships*.

II. Description of Regulatory Mechanisms: (Part II.D.2)

Illicit discharges

- A. Do you have a regulatory mechanism(s) that effectively prohibits non-stormwater discharges into your small MS4, except those non-stormwater discharges authorized under the Permit (Part III.D.3.b.)? ☒ Yes ☐ No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):
☒ Ordinance ☐ Contract language

- ☐ Policy/Standards ☐ Permits
☐ Rules
☐ Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

- ☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_IDDEreg*.

2. If **no**:

Describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

The city will be updating its illicit discharge ordinances to better distinguish a legal stormwater discharge from an illicit discharge, and provide clearer definitions for nonstormwater, illicit discharge, and illicit connection.

Construction site stormwater runoff control

- A. Do you have a regulatory mechanism(s) that establishes requirements for erosion and sediment controls and waste controls? ☒ Yes ☐ No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- ☒ Ordinance ☐ Contract language
☐ Policy/Standards ☐ Permits
☐ Rules
☐ Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

- ☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_CSWreg*.

- B. Is your regulatory mechanism at least as stringent as the MPCA general permit to Discharge Stormwater Associated with Construction Activity (as of the effective date of the MS4 Permit)? ☒ Yes ☐ No

If you answered **yes** to the above question, proceed to C.

If you answered **no** to either of the above permit requirements listed in A. or B., describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

- C. Answer **yes** or **no** to indicate whether your regulatory mechanism(s) requires owners and operators of construction activity to develop site plans that incorporate the following erosion and sediment controls and waste controls as described in the Permit (Part III.D.4.a.(1)-(8)), and as listed below:

- | | |
|---|---|
| 1. Best Management Practices (BMPs) to minimize erosion. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. BMPs to minimize the discharge of sediment and other pollutants. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. BMPs for dewatering activities. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

- 4. Site inspections and records of rainfall events ☐ Yes ☒ No
- 5. BMP maintenance ☒ Yes ☐ No
- 6. Management of solid and hazardous wastes on each project site. ☒ Yes ☐ No
- 7. Final stabilization upon the completion of construction activity, including the use of perennial vegetative cover on all exposed soils or other equivalent means. ☐ Yes ☒ No
- 8. Criteria for the use of temporary sediment basins. ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

C.3. We currently encourage the use of dewatering bags or similar dewater methods, but we do not have an ordinance to enforce it. The city will make additions to its stormwater management ordinance to cover the proper procedures for dewatering activities and have it approved by and implement by city council within 12 months of date permit coverage is extended.

C.4. The city's stormwater management ordinance currently covers site inspections, however it does not cover records of rainfall events. The city will make an addition to this ordinance to cover inspection after rainfall events, and records from each event. This addition to the ordinance will be implemented within 12 months of the date permit coverage is extended.

C.7. Criteria for final stabilization upon the completion of construction activity will be established and added to the stormwater ordinance within 12 months of the date permit coverage is extended.

Post-construction stormwater management

A. Do you have a regulatory mechanism(s) to address post-construction stormwater management activities?

☒ Yes ☐ No

1. If **yes**:

a. Check which type of regulatory mechanism(s) your organization has (check all that apply):

- ☒ Ordinance ☐ Contract language
- ☐ Policy/Standards ☐ Permits
- ☐ Rules
- ☐ Other, explain: _____

b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_PostCSWreg*.

B. Answer **yes** or **no** below to indicate whether you have a regulatory mechanism(s) in place that meets the following requirements as described in the Permit (Part III.D.5.a.):

- 1. **Site plan review:** Requirements that owners and/or operators of construction activity submit site plans with post-construction stormwater management BMPs to the permittee for review and approval, prior to start of construction activity. ☒ Yes ☐ No
- 2. **Conditions for post construction stormwater management:** Requires the use of any combination of BMPs, with highest preference given to Green Infrastructure techniques and practices (e.g., infiltration, evapotranspiration, reuse/harvesting, conservation design, urban forestry, green roofs, etc.), necessary to meet the following conditions on the site of a construction activity to the Maximum Extent Practicable (MEP):
 - a. For new development projects – no net increase from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No
 - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of Total Suspended Solids (TSS).
 - 3) Stormwater discharges of Total Phosphorus (TP).
 - b. For redevelopment projects – a net reduction from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No

- 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of TSS.
 - 3) Stormwater discharges of TP.
3. **Stormwater management limitations and exceptions:**
- a. Limitations
 - 1) Prohibit the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) when the infiltration structural stormwater BMP will receive discharges from, or be constructed in areas:

☐ Yes ☒ No

 - a) Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.
 - b) Where vehicle fueling and maintenance occur.
 - c) With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
 - d) Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.
 - 2) Restrict the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), without higher engineering review, sufficient to provide a functioning treatment system and prevent adverse impacts to groundwater, when the infiltration device will be constructed in areas:

☐ Yes ☒ No

 - a) With predominately Hydrologic Soil Group D (clay) soils.
 - b) Within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features.
 - c) Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13.
 - d) Where soil infiltration rates are more than 8.3 inches per hour.
 - 3) For linear projects where the lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), the permittee's regulatory mechanism(s) may allow exceptions as described in the Permit (Part III.D.5.a(3)(b)). The permittee's regulatory mechanism(s) shall ensure that a reasonable attempt be made to obtain right-of-way during the project planning process.

☐ Yes ☒ No
4. **Mitigation provisions:** The permittee's regulatory mechanism(s) shall ensure that any stormwater discharges of TSS and/or TP not addressed on the site of the original construction activity are addressed through mitigation and, at a minimum, shall ensure the following requirements are met:
- a. Mitigation project areas are selected in the following order of preference:

☐ Yes ☒ No

 - 1) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
 - 2) Locations within the same Minnesota Department of Natural Resource (DNR) catchment area as the original construction activity.
 - 3) Locations in the next adjacent DNR catchment area up-stream
 - 4) Locations anywhere within the permittee's jurisdiction.
 - b. Mitigation projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP.

☐ Yes ☒ No
 - c. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet mitigation requirements of this part.

☐ Yes ☒ No
 - d. Mitigation projects shall be completed within 24 months after the start of the original construction activity.

☐ Yes ☒ No
 - e. The permittee shall determine, and document, who will be responsible for long-term maintenance on all mitigation projects of this part.

☐ Yes ☒ No
 - f. If the permittee receives payment from the owner and/or operator of a construction activity for mitigation purposes in lieu of the owner or operator of that construction activity meeting the conditions for post-construction stormwater management in Part III.D.5.a(2), the permittee shall apply any such payment received to a public stormwater project, and all projects must be in compliance with Part III.D.5.a(4)(a)-(e).

☐ Yes ☒ No
5. **Long-term maintenance of structural stormwater BMPs:** The permittee's regulatory mechanism(s) shall provide for the establishment of legal mechanisms between the permittee and owners or operators responsible for the long-term maintenance of structural stormwater BMPs not owned or operated by the permittee, that have been implemented to meet the

conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)). This only includes structural stormwater BMPs constructed after the effective date of this permit and that are directly connected to the permittee's MS4, and that are in the permittee's jurisdiction.

The legal mechanism shall include provisions that, at a minimum:

- a. Allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines that the owner and/or operator of that structural stormwater BMP has not conducted maintenance. ☒ Yes ☐ No
- b. Include conditions that are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party. ☒ Yes ☐ No
- c. Include conditions that are designed to protect/preserve structural stormwater BMPs and site features that are implemented to comply with the Permit (Part III.D.5.a(2)). If site configurations or structural stormwater BMPs change, causing decreased structural stormwater BMP effectiveness, new or improved structural stormwater BMPs must be implemented to ensure the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) continue to be met. ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within twelve (12) months of the date permit coverage is extended, these permit requirements are met:

B.2.a, B.2.b The city requires that drainage design and stormwater management, meet the regulations of the Department of Natural Resources, the Army Corps of Engineers, and other regulatory authorities. The city will update its ordinances to include requirements for post construction management of volume, total suspended solids, and total phosphorous in accordance with the Permit (Part III.D.5.a(3)(a)1), rather than just stating that the stormwater management plan shall be consistent with the most recent version of the Minnesota Pollution Control Agency's NPDES Construction Permit, as it is in our ordinance now. These changes will be made within 12 months of the date permit coverage is extended.

B.3.a.1-3: The city will amend its current ordinance to include limitations (prohibiting, restricting, and exceptions) for infiltration to address post construction stormwater management, in accordance with Part III.D.5.a(3)) of the permit. These changes will be made within 12 months of the date permit coverage is extended.

B.4.a-f: The city amend its current stormwater management ordinance to include mitigation provisions for post construction stormwater management of TSS and/or TP in accordance with the Permit (Part III.D.5.a(4)). The ordinance will be amended within 12 months of the date permit coverage is extended.

III. Enforcement Response Procedures (ERPs): (Part II.D.3)

- A. Do you have existing ERPs that satisfy the requirements of the Permit (Part III.B.)? ☐ Yes ☒ No

- 1. If **yes**, attach them to this form as an electronic document, with the following file naming convention: *MS4NameHere_ERPs*.
- 2. If **no**, describe the tasks and corresponding schedules that will be taken to assure that, with twelve (12) months of the date permit coverage is extended, these permit requirements are met:

We will put together a more complete enforcement response procedure to comply with (Part III.B.), that records the violation, referrals to other regulatory organizations, and date the violation was resolved for MCM's 3, 4, and 5. We will make revisions to our current ordinance within 12 months of the date permit coverage is extended.

- B. Describe your ERPs:

Our current ordinance outlines inspection and enforcement of construction site stormwater pollution prevention plans. There are two types of violations, 1) Construction Stop Order - stops work until stormwater management plan meets city specifications, 2) perimeter breach - improper erosion control, or malfunctioning sediment control. The ordinance also states the actions which the city can take to ensure compliance. Currently we don't have a formal document for recording the person in violation, date, time, location of violation, or type of violation.

IV. Storm Sewer System Map and Inventory: (Part II.D.4.)

- A. Describe how you manage your storm sewer system map and inventory:

The City of Fairmont manages its storm sewer map and inventory using GIS software and GPS data collectors to retrieve data in the field.

- B. Answer **yes** or **no** to indicate whether your storm sewer system map addresses the following requirements from the Permit (Part III.C.1.a-d), as listed below:

1. The permittee's entire small MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes. ☐ Yes ☒ No
2. Outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinate. ☒ Yes ☐ No
3. Structural stormwater BMPs that are part of the permittee's small MS4. ☒ Yes ☐ No
4. All receiving waters. ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

Our map currently displays pipes 18 inches or greater in diameter. Within 12 months of the date coverage is extended we will have completed updating our map to include pipes pipe 12 inches or larger that are not in our map now.

- C. Answer **yes** or **no** to indicate whether you have completed the requirements of 2009 Minnesota Session Law, Ch. 172. Sec. 28: with the following inventories, according to the specifications of the Permit (Part III.C.2.a.-b.), including:
1. All ponds within the permittee's jurisdiction that are constructed and operated for purposes of water quality treatment, stormwater detention, and flood control, and that are used for the collection of stormwater via constructed conveyances. ☒ Yes ☐ No
 2. All wetlands and lakes, within the permittee's jurisdiction, that collect stormwater via constructed conveyances. ☒ Yes ☐ No
- D. Answer **yes** or **no** to indicate whether you have completed the following information for each feature inventoried.
1. A unique identification (ID) number assigned by the permittee. ☒ Yes ☐ No
 2. A geographic coordinate. ☒ Yes ☐ No
 3. Type of feature (e.g., pond, wetland, or lake). This may be determined by using best professional judgment. ☒ Yes ☐ No

If you have answered **yes** to all above requirements, and you have already submitted the Pond Inventory Form to the MPCA, then you do not need to resubmit the inventory form below.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

We will be submitting the pond, wetland, and lake inventory form to MPCA with this permit application.

- E. Answer **yes** or **no** to indicate if you are attaching your pond, wetland and lake inventory to the MPCA on the form provided on the MPCA website at: <http://www.pca.state.mn.us/ms4>, according to the specifications of Permit (Part III.C.2.b.(1)-(3)). Attach with the following file naming convention: *MS4NameHere_inventory*. ☒ Yes ☐ No

If you answered **no**, the inventory form must be submitted to the MPCA MS4 Permit Program within 12 months of the date permit coverage is extended.

V. Minimum Control Measures (MCMs) (Part II.D.5)

A. MCM1: Public education and outreach

1. The Permit requires that, within 12 months of the date permit coverage is extended, existing permittees revise their education and outreach program that focuses on illicit discharge recognition and reporting, as well as other specifically selected stormwater-related issue(s) of high priority to the permittee during this permit term. Describe your **current** educational program, including **any high-priority topics included**:

Our City currently uses a variety of methods to educate the public. We include a staffer in our utility bills about seasonal stormwater topics 2-3 times per year. We have created a website about our stormwater program that is on the city's website. We also use the local government cable tv channel, and social media to connect with public on proper practices which can reduce nutrients, bacteria, and sediment in our lakes. This year we conducted our first rain barrel sale and informed the public about water conservation practices. The high priority topics we have covered in the past include, keeping lawn clippings and fertilizer off driveways and curbs, we have also included proper pet waste disposal.

2. List the categories of BMPs that address your public education and outreach program, including the distribution of educational materials and a program implementation plan. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the U.S. Environmental Protection Agency's (EPA) *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Utility Bill Stuffers	Distributed bill stuffers with information regarding yard waste, pet waste, and illicit discharges. The distribution of stuffers will occur at least twice per year.
Website	The stormwater website will continue to be updated with regulations, ordinances, and educational material. The city will track the number of hits on an annual basis.
Community Access TV	A powerpoint presentation about stormwater will be played on the community access channel. The city will play the presentation on a continuous loop with other city information which is shown several (3-6) times per day. We will present 4 different stormwater tips throughout the year. This will available to all cable viewers within the City of Fairmont.
Rain Barrel Sale	Once each spring the city will hold a rain barrel sale and educate the public on water conservation and stormwater runoff. The goal will be to sell 10 rain barrels per year.
BMP categories to be implemented	Measurable goals and timeframes
Social Media	The city will use its Facebook page to post links about stormwater education and tips for homeowners or businesses. The goal will be to post something new to the site every month.
E-Newsletter	City will work to distribute e-Newsletter at least twice a year. The city will track the number of citizens receiving the e-newsletter.
Classroom Presentations	Work with Fairmont School District and implement a program about stormwater and have a city representative present to the students about stormwater and the water cycle. The city will present to students/youth at least once per school year.
Program Evaluation	Once at the end of each year there will be an evaluation of the public education and outreach program. Changes will be made as necessary to more effectively change the program in order to make it better.

- Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Tyler Cowing - Water Resources Technician

B. MCM2: Public participation and involvement

- The Permit (Part III.D.2.a.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement a public participation/involvement program to solicit public input on the SWPPP. Describe your current program:

Every year the City of Fairmont holds an annual meeting about its stormwater pollution prevention plan. Usually this meeting is held during a city council meeting in June or July. At the meeting the city gives a short presentation on its SWPPP, changes that have occurred over the last year, and changes that will need to be addressed in the coming year. At the end on the presentation comments and questions on its SWPPP document are taken from the public.

- List the categories of BMPs that address your public participation/involvement program, including solicitation and documentation of public input on the SWPPP. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Annual Meeting	Hold a meeting in either June or July of each year. Have at least 5 attendees that are not city employees or city council members at the yearly meeting.
BMP categories to be implemented	Measurable goals and timeframes
Public Notice	Post a notice about the annual meeting in both the Fairmont

	Sentinel and the PhotoPress for 2-3 days the week prior to the annual meeting. Also post a notice at the entrance of city hall, the city website, Facebook, and in the E-Newsletter.
Availability of Stormwater Pollution Prevention Plan Document	The City of Fairmont's Storm Water Pollution Prevention Plan Document will be made available to look at in City Hall, the Martin County Library, on the city website, and one will be given to the Fairmont Lakes Foundation.
Public Comment	Establish a method for receiving and handling input from citizens. Also create a procedure for amending the SWPPP document to incorporate changes. This will be done by the end of 2014.
Engagement with Community Organizations	Work with organizations such as the Fairmont Lakes Foundation, Martin County Soil and Water Conservation District, Martin County Conservation Club, Yacht Club, Boy and Girl Scouts, and other organizations that have an interest in the Fairmont Lakes. A city representative will attend events, speak to organizations, and encourage each organization to come up with a water quality outreach project they can work on.

3. Do you have a process for receiving and documenting citizen input? ☐ Yes ☒ No

If you answered **no** to the above permit requirement, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

Please see the BMP categories to be implemented list, the Public Comment BMP will address this permit requirement.

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Tyler Cowing - Water Resources Technician

C. MCM 3: Illicit discharge detection and elimination

1. The Permit (Part III.D.3.) requires that, within 12 months of the date permit coverage is extended, existing permittees revise their current program as necessary, and continue to implement and enforce a program to detect and eliminate illicit discharges into the small MS4. Describe your current program:

We have an ordinance that prohibits illicit discharges and connections.

2. Does your Illicit Discharge Detection and Elimination Program meet the following requirements, as found in the Permit (Part III.D.3.c.-g.)?

- | | |
|---|---|
| a. Incorporation of illicit discharge detection into all inspection and maintenance activities conducted under the Permit (Part III.D.6.e.-f.) Where feasible, illicit discharge inspections shall be conducted during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation). | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Detecting and tracking the source of illicit discharges using visual inspections. The permittee may also include use of mobile cameras, collecting and analyzing water samples, and/or other detailed procedures that may be effective investigative tools. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| c. Training of all field staff, in accordance with the requirements of the Permit (Part III.D.6.g.(2)), in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| d. Identification of priority areas likely to have illicit discharges, including at a minimum, evaluating land use associated with business/industrial activities, areas where illicit discharges have been identified in the past, and areas with storage of large quantities of significant materials that could result in an illicit discharge. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| e. Procedures for the timely response to known, suspected, and reported illicit discharges. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| f. Procedures for investigating, locating, and eliminating the source of illicit discharges. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| g. Procedures for responding to spills, including emergency response procedures to prevent spills from entering the small MS4. The procedures shall also include the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. § 115.061. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| h. When the source of the illicit discharge is found, the permittee shall use the ERPs required by the Permit (Part III.B.) to eliminate the illicit discharge and require any needed corrective action(s). | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The city's stormwater management ordinance prohibits illicit discharges and connections, however it does not cover training of staff or procedures. We will be revising our program to include, identification of priority areas, training of field staff, and developing procedures for investigating, locating, and eliminating illicit discharges within 12 months of the date permit coverage is extended.

3. List the categories of BMPs that address your illicit discharge, detection and elimination program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Ordinance	Review and update the city's ordinance as needed to meet the goals of the city, and the MPCA requirements.
BMP categories to be implemented	Measurable goals and timeframes
Inspections	Inspect high priority areas for illicit discharges quarterly. Street construction inspectors and building inspectors will inspect for illicit discharges on their sites as well.
Training	Hold training for city employees annually. The training will prepare them for handling illicit discharges, and spotting illicit discharges when out on the job.
Reporting	Establish an easy way for citizens to report illicit discharges. This will be completed by the end of 2014.
Record Keeping	Setup Procedures for record keeping with illicit discharge and elimination program. We will create a spreadsheet containing location, date, time, and the type of illicit discharge that occurred. This will be completed and ready for use by June 1, 2014. Revisions to this form will be on going to meet our needs.

4. Do you have procedures for record-keeping within your Illicit Discharge Detection and Elimination (IDDE) program as specified within the Permit (Part III.D.3.h.)? ☐ Yes ☒ No

If you answered **no**, indicate how you will develop procedures for record-keeping of your Illicit Discharge, Detection and Elimination Program, within 12 months of the date permit coverage is extended:

Please seed BMP categories to be implemented above - Record Keeping.

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Tyler Cowing - Water Resources Technician

D. MCM 4: Construction site stormwater runoff control

1. The Permit (Part III.D.4) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a construction site stormwater runoff control program. Describe your current program:

We currently review review site plans, and check the drainage for the site. Once the engineer approves the site plan, the building inspector does site inspections when called for a building inspection.

2. Does your program address the following BMPs for construction stormwater erosion and sediment control as required in the Permit (Part III.D.4.b.):

- a. Have you established written procedures for site plan reviews that you conduct prior to the start of ☒ Yes ☐ No

construction activity?

- b. Does the site plan review procedure include notification to owners and operators proposing construction activity that they need to apply for and obtain coverage under the MPCA's general permit to *Discharge Stormwater Associated with Construction Activity No. MN R100001*? ☒ Yes ☐ No
- c. Does your program include written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee? ☐ Yes ☒ No
- d. Have you included written procedures for the following aspects of site inspections to determine compliance with your regulatory mechanism(s):
- 1) Does your program include procedures for identifying priority sites for inspection? ☐ Yes ☒ No
 - 2) Does your program identify a frequency at which you will conduct construction site inspections? ☐ Yes ☒ No
 - 3) Does your program identify the names of individual(s) or position titles of those responsible for conducting construction site inspections? ☐ Yes ☒ No
 - 4) Does your program include a checklist or other written means to document construction site inspections when determining compliance? ☐ Yes ☒ No
- e. Does your program document and retain construction project name, location, total acreage to be disturbed, and owner/operator information? ☒ Yes ☐ No
- f. Does your program document stormwater-related comments and/or supporting information used to determine project approval or denial? ☒ Yes ☐ No
- g. Does your program retain construction site inspection checklists or other written materials used to document site inspections? ☐ Yes ☒ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

2.c - We will establish a way for the public to submit comments and noncompliance issues to the city. This will be done through an email citizens can submit comments to the city, this will be done within 6 months of the date permit coverage is extended.

2.d.1- We will work with building inspectors to assist with site inspections and help them to identify priority locations.

2.d.2- We will meet with the building inspectors and determine a frequency which seems reasonable. This will be done within 6 months of the date permit coverage is extended.

2.d.3- We will document the inspectors in our updated SWPPP, This will be done with the next month.

2.d.4- A documentation option will be added to the building permit process.

2.g - We will document the inspections and comments made from each inspection.

3. List the categories of BMPs that address your construction site stormwater runoff control program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Inspections	Conduct inspections at all sites within two weeks after initial soil disturbance, and at least once per month.
Ordinance	The city currently has an ordinance to control erosion and control sediment.
Education	Provides handouts on sediment and erosion control for construction sites once per year.
BMP categories to be implemented	Measurable goals and timeframes
Permit	Create a stormwater permit for construction sites less than one acre in 2014.
Workshop	Create a workshop for contractors on the requirements of a stormwater permit and proper erosion and sediment control practices. This will completed within the next year.

Recording and Inspections	Develop a method for inspections and keeping records in 2014.
Fact Sheet	Create a fact sheet to give permittees with permit.

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Tyler Cowing- Water Resources Technician

E. MCM 5: Post-construction stormwater management

1. The Permit (Part III.D.5.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a post-construction stormwater management program. Describe your current program:

We have a post-construction ordinance which requires any building permit applicant that disturbs one-half acre or more of land to submit a stormwater management plan to our community development department. All stormwater management plans submitted are to be consistent with the most recent version of the MPCA NPDES Construction Permit. We have a general policy which states stormwater runoff should maintain predevelopment hydrologic conditions and encourage the use of BMPs. We also have legal mechanisms in place to ensure inspection and maintenance, as well as function of the private stormwater BMPs are taken care of.

2. Have you established written procedures for site plan reviews that you will conduct prior to the start of construction activity? ☒ Yes ☐ No
3. Answer **yes** or **no** to indicate whether you have the following listed procedures for documentation of post-construction stormwater management according to the specifications of Permit (Part III.D.5.c.):
- a. Any supporting documentation that you use to determine compliance with the Permit (Part III.D.5.a), including the project name, location, owner and operator of the construction activity, any checklists used for conducting site plan reviews, and any calculations used to determine compliance? ☒ Yes ☐ No
- b. All supporting documentation associated with mitigation projects that you authorize? ☐ Yes ☒ No
- c. Payments received and used in accordance with Permit (Part III.D.5.a.(4)(f))? ☐ Yes ☒ No
- d. All legal mechanisms drafted in accordance with the Permit (Part III.D.5.a.(5)), including date(s) of the agreement(s) and names of all responsible parties involved? ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the steps that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

3.b & 3.c - We will amend our ordinances to handle mitigation projects and deal with payments received for mitigation projects within 12 months of the date permit coverage is extended.

4. List the categories of BMPs that address your post-construction stormwater management program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Long-Term Operation and Maintenance of BMPs	Conduct inspections of at least 33% of city owned BMPs annually, perform maintenance required based on inspection observations of each BMP.
Ordinance regulating new or redevelopment projects	Continue to enforce the ordinances in place, as well as review, and change as necessary to meet the needs of our city.
Plan Review	Review construction plan review process annually and make adjustments necessary.

BMP categories to be implemented	Measurable goals and timeframes
Update ordinance to meet new permit requirements	Revise ordinance to meet permit requires within 12 months of the date permit coverage is extended.

Document Project Information	Develop an organized filing system for documents pertaining to new or redevelopment plans within 12-18 months of the date permit coverage is extended.
Construction Guidance	Develop guidance to distribute with each building permit that is applied for by the end of 2015.

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Tyler Cowing - Water Resources Technician

F. MCM 6: Pollution prevention/good housekeeping for municipal operations

1. The Permit (Part III.D.6.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement an operations and maintenance program that prevents or reduces the discharge of pollutants from the permittee owned/operated facilities and operations to the small MS4. Describe your current program:

The city's current program includes both inspection as well as maintenance of our storm sewer system, streets, and parks. All of the streets are swept at least once in the spring and once in the fall. Areas around construction are swept more frequently. The city inspects all structural pollution control devices on an annual basis. The city inspects outfalls, sediment basins, and ponds at least once every other year. The last several years the city has done a leaf pickup in the fall. The city will pickup piles of leaves left by residents behind the curb.

2. Do you have a facilities inventory as outlined in the Permit (Part III.D.6.a.)? ☐ Yes ☒ No
3. If you answered **no** to the above permit requirement in question 2, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:
- A list will be made of the facilities within the city that may contribute pollutants to stormwater discharges during the winter of 2014, the following list will then be inventoried using GIS software to map their locations and record their category during the spring of 2014.*
4. List the categories of BMPs that address your pollution prevention/good housekeeping for municipal operations program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. For an explanation of measurable goals, refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Street Sweeping	2014-15 Review current street sweeping plan and schedule 2014-15 Update the sweeping plan and schedule to meet current goals and program needs 2014-18 Sweep all streets and record length of pavement swept as well as amount of debris removed from street
Examine Mechanisms to Fund the Stormwater Program.	2014-18 Continue operating stormwater utility and annually examine funding adequacy.
Annual Inspection of All Structural Pollution Control Devices	2014-18 Conduct inspections with a report and photograph for each structural BMP. 2014-18 Maintain database documenting inspection findings and maintenance activities
Inspection of a Minimum of 20 percent of the MS4 Outfalls, Sediment Basin and Ponds Each Year on a Rotating Basis	2014-18 Update locations of outfalls requiring inspection and schedule of inspections 2014-18 Conduct inspections and database records

Spill Prevention and Control Plans for Municipal Operations	2014-18 Conduct training for employees and distribute educational materials at each municipal facility.
BMP categories to be implemented	Measurable goals and timeframes
City Wide Leaf Pickup	2014-18 Conduct leaf pickup and record the volume of leaves picked up each fall
Catch Basin Cleaning	2014-18 Clean 50% of catchbasins each year and record the tons of debris removed each day and condition of each catchbasin cleaned
Quarterly Inspection of All Exposed Stockpile, Storage and Material Handling Areas	2014-15 Maintain and update inventory of stockpile sites 2014-18 Conduct routine quarterly inspections for all sites
Facility Inventory	2014-15 An inventory of city-owned properties, buildings, and yards will be compiled and categorized for potential discharge and erosion risks. 2015-18 The inventory will be updated as changes occur.
Pond Assessment Procedures & Schedule	2015 Develop procedures for determining TSS and TP treatment effectiveness of stormwater ponds owned by the city for the purpose of stormwater treatment. Implement a schedule for assessment in 2017 and assess all city owned ponds in 2018.
Current Employee Training Program	2015-18 Hold an annual training presentation for each city department which demonstrates responsibilities, procedures, and techniques to use in their day to day work which will help protect water quality.
New/Temporary Employee Education	2015-18 Provide new employees with handout about general stormwater protection guidelines for the workplace. Follow up and make sure the practices in the handout are being used on the job.

5. Does discharge from your MS4 affect a Source Water Protection Area (Permit Part III.D.6.c.)? ☐ Yes ☒ No
- a. If **no**, continue to 6.
- b. If **yes**, the Minnesota Department of Health (MDH) is in the process of mapping the following items. Maps are available at <http://www.health.state.mn.us/divs/eh/water/swp/maps/index.htm>. Is a map including the following items available for your MS4:
- 1) Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330? ☐ Yes ☐ No
- 2) Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13? ☐ Yes ☐ No
- c. Have you developed and implemented BMPs to protect any of the above drinking water sources? ☐ Yes ☐ No
6. Have you developed procedures and a schedule for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater, according to the Permit (Part III.D.6.d.)? ☐ Yes ☒ No
7. Do you have inspection procedures that meet the requirements of the Permit (Part III.D.6.e.(1)-(3)) for structural stormwater BMPs, ponds and outfalls, and stockpile, storage and material handling areas? ☐ Yes ☒ No
8. Have you developed and implemented a stormwater management training program commensurate with each employee's job duties that:
- a. Addresses the importance of protecting water quality? ☐ Yes ☒ No
- b. Covers the requirements of the permit relevant to the duties of the employee? ☐ Yes ☒ No
- c. Includes a schedule that establishes initial training for new and/or seasonal employees and recurring training intervals for existing employees to address changes in procedures, practices, techniques, or requirements? ☐ Yes ☒ No
9. Do you keep documentation of inspections, maintenance, and training as required by the Permit ☒ Yes ☐ No

(Part III.D.6.h.(1)-(5))?

If you answered **no** to any of the above permit requirements listed in **Questions 5 – 9**, then describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

Please see BMPs to be implemented list above with corresponding measurable goals and timeframes.

10. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Tyler Cowing - Water Resources Technician

VI. Compliance Schedule for an Approved Total Maximum Daily Load (TMDL) with an Applicable Waste Load Allocation (WLA) (Part II.D.6.)

- A. Do you have an approved TMDL with a Waste Load Allocation (WLA) prior to the effective date of the Permit? ☒ Yes ☐ No

1. If **no**, continue to section VII.
2. If **yes**, fill out and attach the MS4 Permit TMDL Attachment Spreadsheet with the following naming convention: *MS4NameHere_TMDL*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VII. Alum or Ferric Chloride Phosphorus Treatment Systems (Part II.D.7.)

- A. Do you own and/or operate any Alum or Ferric Chloride Phosphorus Treatment Systems which are regulated by this Permit (Part III.F.)? ☐ Yes ☒ No

1. If **no**, this section requires no further information.
2. If **yes**, you own and/or operate an Alum or Ferric Chloride Phosphorus Treatment System within your small MS4, then you must submit the Alum or Ferric Chloride Phosphorus Treatment Systems Form supplement to this document, with the following naming convention: *MS4NameHere_TreatmentSystem*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VIII. Add any Additional Comments to Describe Your Program

CHAPTER – 25 UTILITIES

ARTICLE IX. STORMWATER MANAGEMENT

Sec. 25-1002. Stormwater management

(d) Stormwater and urban runoff pollution control.

- (1) *Illegal disposal.* No person shall dispose of any refuse, rubbish, garbage, grass, leaves, dirt, or other landscape debris or any other discarded or abandoned objects, articles, or accumulations, in violation of Fairmont City Code or Minnesota state laws, so that the same might be or become a pollutant.
- (2) Illicit discharges and connections.
 - a. No person shall cause any discharge to enter the municipal stormwater system unless such discharge: (1) consists of nonstormwater that is authorized by an NPDES point source permit obtained from the MPCA; or (2) is associated with fire fighting activities; or (3) is otherwise in compliance with City Code.
 - b. No person shall use any illicit connection to intentionally convey nonstormwater to a community stormwater system.
- (3) *Good housekeeping provisions.* Any owner or occupant of property within the city shall comply with the following good housekeeping requirements:
 - a. No person shall leave, deposit, discharge, dump, or otherwise expose any chemical or septic waste in an area where discharge to streets or stormwater drain system may occur. This section shall apply to both actual and potential discharges.
 1. For pools, water should be allowed to sit seven days to allow for chlorine to evaporate before discharge. If fungicides have been used, water must be tested and approved for discharge to the wastewater treatment plant.
 2. Runoff of water from residential property shall be minimized to the maximum extent practicable. Runoff of water from the washing down of paved areas in commercial or industrial property is prohibited unless necessary for health or safety purposes and not in violation of any other provisions in City Code.
 3. Storage of materials, machinery, and equipment.

- i. Objects, such as motor vehicle parts, containing grease, oil or other hazardous substances, and unsealed receptacles containing hazardous materials, shall not be stored in areas susceptible to runoff.
 - ii. Any machinery or equipment that is to be repaired or maintained in areas susceptible to runoff shall be placed in a confined area to contain leaks, spills, or discharges.
4. Removal of debris and residue. Debris and residue shall be removed without allowing any leaks, spills or discharges that may result in prohibited runoff into the streets or stormwater drainage system.

CHAPTER 22 – SOLID WASTES

ARTICLE II. SOLID WASTE MANAGEMENT

Sec. 22-21. Dumping in streets.

It is unlawful for any person to throw or deposit in any street or any other public place any solid waste including nails, dirt, glass, tin cans, metal scraps, garbage, shreds or rubbish, grass clippings, or to empty any water containing salt or other injurious chemical thereon.

(Code 1984, Title 6, § 730)

State law reference— Littering prohibited, M.S. § 609.68.

CHAPTER 25 – UTILITIES

ARTICLE IX. – STORMWATER MANAGEMENT

Sec. 25-1002. Stormwater management

Sec. 25-1000. Statutory authorization, purpose and scope.

- (a) *Statutory authorization.* This article is adopted pursuant to the authorization and policies contained in Minnesota Statutes Chapters 103B, 103F.401, 103F.441 and 462, and Minnesota Rules Chapters 7050, 7090 and 8410. This article is intended to meet the current construction site erosion and sediment control and post-construction stormwater management regulatory requirements for construction activity and small construction activity (NPDES Permit) as defined in 40 CFR pt. 122.26(b)(14)(x) and (b)(15), respectively.
- (b) *Purpose.* The purpose of this article is to set forth the minimum requirements for stormwater management that will diminish the threats to public health, safety, public and private property and the natural resources of the community from uncontrolled stormwater runoff and construction site erosion by establishing performance standards that:
 - (1) Protect life and property from dangers associated with flooding;
 - (2) Protect public and private property from damage resulting from runoff or erosion protecting life and property from dangers associated with flooding;
 - (3) Ensure the annual runoff rates and volumes from post development site conditions mimic the annual runoff rates and volumes from predevelopment site conditions;
 - (4) Provide site design that minimizes the generation of stormwater and maximizes pervious areas for stormwater treatment;
 - (5) Promote regional stormwater management by watershed;
 - (6) Provide a consistent set of performance standards that apply to all developments;
 - (7) Protect water quality from nutrients, pathogens, toxins, debris, and thermal stress;
 - (8) Promote infiltration and groundwater recharge;
 - (9) Provide a vegetated corridor (buffer) to protect water resources from development;
 - (10) Protect functional values of natural water courses and wetlands;
 - (11) Provide plant and animal habitat and support riparian ecosystems;
 - (12) Provide procedures to achieve a targeted eighty (80) percent reduction in sediment load rates to community waters as compared to no controls for all new development; a forty (40) percent reduction in sediment load rates as compared to no controls for all redevelopment and street reconstruction; and a twenty (20) percent reduction in sediment load rates as compared to no controls for existing developments.
- (c) *Scope.* No person shall develop any land for residential, commercial, industrial, or institutional uses without having provided stormwater management measures that control or

manage runoff from such developments during construction and after construction, in compliance with the requirements of this article.

(Ord. No. 2010-06, 7-26-10)

Sec. 25-1002. Stormwater management.

The following standards shall apply to all developments within the City of Fairmont:

- (a) *Stormwater management plan.* Every applicant for a building permit that involves disturbing one-half acre of land or more, must submit a stormwater management plan to the community development department. No building permit, subdivision approval, or permit to allow land disturbing activities shall be issued until approval of this plan. All plans shall be consistent with National Pollution Discharge Elimination Permit (NPDES) requirements.
 - (1) *General policy on stormwater runoff rates.* Site plans for new development of one half acre or larger will be reviewed for stormwater quantity control and stormwater quality management. The general policy on stormwater runoff rates is to reduce the impacts of development by maintaining predevelopment hydrological conditions. When a site is designed for new or renewed development, the hydrologic regime can be altered in the following ways:
 - a. Increased runoff volume.
 - b. Increased imperviousness.
 - c. Increased flow frequency, duration, and peak runoff rate.
 - d. Reduce infiltration (groundwater recharge).
 - e. Modification of the flow pattern.
 - f. Faster time to peak, due to shorter time of concentration through storm sewers.
 - g. Loss of storage.
 - h. Accelerated channel erosion.
- (b) *Stormwater management plan requirements.* The minimum requirements of the stormwater management plan shall be consistent with the most recent version of the Minnesota Pollution Control Agency's NPDES Construction Permit Requirements:
 - (1) Identification and description.
 - a. Project name;
 - b. Project type (residential, commercial, industrial, road construction, or other);
 - c. Project location;
 - d. County parcel identification number (legal description);
 - e. Names and addresses of the owner of record, developer, land surveyor, engineer, designer of the plat, and any agents, contractors, and subcontractors who will be responsible for project implementation;

- f. Identification of the entity responsible for long term maintenance of the project;
 - g. Phasing of construction with estimated start date, time frames and schedules for each construction phase, and completion date;
 - h. Copies of permits or permit applications required by any other governmental entity or agencies including mitigation measures required as a result of any review for the project (e.g. wetland mitigation, EAW, EIS, archaeology survey, etc.).
- (2) *Proposed Conditions.* A complete site plan and specifications, signed by the person who designed the plan, as required by law, shall be drawn to an easily legible scale, shall be clearly labeled with a north arrow and a date of preparation, and shall include, at a minimum, the following information:
- a. Project map—An 8.5 by 11-inch United States Geological Survey (USGS) 7.5-minute quad or equivalent map indicating site boundaries, proposed elevations, and areas not to be disturbed;
 - b. Property lines and lot dimensions of plat.
 - c. The dimensions and setbacks of all buildings and easements.
 - d. The location and area of all proposed impervious surfaces including public and private roads, interior roads, driveways, parking lots, pedestrian ways, and rooftops. Show all types of paving and surfacing materials.
 - e. Location, size, and approximate grade of proposed public sewer and water mains.
 - f. Elevations, sections, profiles, and details as needed to describe all natural and artificial features of the project.
 - g. Identify all natural and artificial water features on site including, but not limited to lakes, ponds, streams (including intermittent streams), and ditches. Show ordinary high water marks of all navigable waters, 100-year flood elevations and delineated wetland boundaries, if any. If not available, appropriate flood zone determination or wetland delineation, or both, may be required at the applicant's expense.
 - h. Hydrologic calculations for volume runoff, velocities, and peak flow rates by watershed, for the 2-year, 10-year, and 100-year 24-hour storm events. These shall include:
 - Post construction peak flow rates with no detention.
 - Post construction peak flow rates with detention.
 - Assumed runoff curve numbers.
 - Time of concentration used in calculations.

—If a flood insurance study has been done by the National Flood Insurance Program, the 100-year flood elevation with and without the floodway.

- i. Locations of all stormwater management practices, infiltration areas, and areas not to be disturbed during construction.
 - j. Steep slopes and bluffs requirements must be consistent with Fairmont City Code, [chapter 26](#)
 - k. Location of temporary sedimentation basins. If more than ten (10) acres are disturbed and drained to a single point of discharge, temporary sediment basins must be installed, however, if the site has sensitive features as determined by the community development department or the potential of off-site impacts, then temporary sediment basins must be installed to protect the resource. This is determined on a site by site basis. When site restrictions do not allow for a temporary sediment basin, equivalent measures such as smaller basins, check dams, and vegetated buffer strips can be included.
 - l. Location, and engineered designs, for structural stormwater management practices including stormwater treatment devices that remove oil and floatable material (e.g., basin outlets with submerged entrances).
 - m. Normal water level, high water level, and emergency overflow elevations for the site.
 - n. Floodplain, if available.
- (3) All proposed stormwater practices, hydrologic models, and design methodologies shall be reviewed by the community development department and certified for compliance by the city engineer.
- (c) *Stormwater management performance standards and design criteria.* The applicant shall consider reducing the need for stormwater management structural controls by incorporating the use of natural topography and land cover such as natural swales and depressions as they exist before development to the degree that they can accommodate the additional flow of water without compromising the integrity or quality of the receiving water body. The development shall minimize impact to significant natural features.
- (1) Stormwater management in shoreland development shall comply with the standards set forth in Fairmont City Code, sections [26-501](#) through [26-527](#)
 - (2) If stormwater is conveyed to an existing approved, on-site or regional stormwater ponding/retention facility, documentation must be provided to show that the existing facility was designed to accommodate the changes in stormwater rate and volume due to the project and that use of the facility for the project will not impinge on the ultimate capacity of the facility or otherwise adversely affect the ability of the facility to achieve its original planned purpose. City may charge a fee for use of any existing facility that is commensurate with the replacement cost for any reduction in ultimate stormwater volume, rate capacity and sediment storage. In designated shoreland areas the development shall meet the impervious surface requirements of the shoreland ordinance regardless of conveyance systems.

- (3) Proposed design, suggested location and phased implementation of effective, practicable stormwater management measures for plans shall be designed, engineered and implemented to achieve the following results:
- a. *Volume control.* Calculations shall use the appropriate hydrologic soil group classification and saturated infiltration rates unless specific rates are measured by a registered soil scientist.
 - b. *Sediment control.*
 1. For new construction, an erosion and sediment control plan implementing BMP will be required that meets the performance and design standards of this article and shall be consistent with National Pollution Discharge Elimination Permit (NPDES) requirements.
 2. For redevelopment and street reconstruction resulting in exposed surface parking lots and associated traffic areas, an erosion and sediment control plan implementing BMP will be required that meets the performance and design standards of this article and shall be consistent with National Pollution Discharge Elimination Permit (NPDES) requirements. Under no circumstances shall the site's existing sediment control level or trapping efficiency be reduced as a result of the redevelopment.
 - c. *Oil and grease control.* For all stormwater plans for commercial or industrial developments and all other uses where the potential for pollution by oil or grease, or both, exists, the first 0.5 inches of runoff will be treated using the best oil and grease removal technology available. This requirement may be waived by the plan reviewer only when the applicant can demonstrate that installation of such practices is not necessary.
 - d. *Runoff rate control hydrologic calculations.* All runoff calculations shall be according to the methodology described in the Natural Resources Conservation Service's Technical Release 55, "Urban Hydrology for Small Watersheds" (commonly known as TR-55), or other methodology approved by the city engineer. For agricultural land subject to this section, the maximum runoff curve number (RCN) used in such calculations for pre-existing undeveloped conditions shall be based on average cultivated row crop conditions and shall not exceed 67 for Hydrologic Soil Group (HSG) A, 76 for hydrologic soil group B, 83 for HSG C, and 86 for HSG D. The TR-55-specified curve numbers for other land uses shall be used. Post development HSG for disturbed sites will be lowered one class for hydrologic calculations to reflect reduced soil permeability impacts unless city approved practices have been implemented to restore soil structure to pre-developed conditions, in which case no HSG class modification is required.
 - e. *Runoff rate control - design standards.* All stormwater facilities shall be designed, installed and maintained to effectively accomplish the following:
 1. Maintain predevelopment peak runoff rates for the 2-year, 24-hour storm event.

2. Maintain predevelopment peak runoff rates for the 10-year, 24-hour storm event. At a minimum the storm sewer conveyance system shall be designed for this storm event. Low areas must have an acceptable overland drainage route with the proper transfer capacity when the storm event is exceeded.
 3. Maintain predevelopment peak runoff rates for the 100-year, 24-hour storm event. Provide outlet to safely pass this event.
- f. *Outlets.* Discharges from new construction sites must have a stable outlet capable of carrying designed flow at a nonerosive velocity. Outlet design must consider flow capacity and flow duration. This requirement applies to both the site outlet and the ultimate outlet to stormwater conveyance or water body.
- g. *Minimize impervious surface area and maximize infiltration.* The project shall use existing natural drainage ways and vegetated soil surfaces to convey, store, filter, and retain stormwater runoff before discharge into public waters or a stormwater conveyance system. Unless specifically modified for long term infiltration performance, including long term maintenance assurances, permanent pool areas of wet ponds will not be accepted as an infiltration practice except as specifically required by the city as part of development planning requirements and conformance with the comprehensive plan. The applicant shall limit the impervious surface of the developed site or subdivision by incorporating the following design considerations, consistent with zoning, subdivision, and PUD requirements (See City Code):
1. 32'—36'-wide streets.
 2. Minimum parking to meet code sections.
 3. Sidewalk locations.
 4. Maximizing open space while meeting minimum lot standards as set forth in City Code.
 5. Using landscaping and soils to treat and infiltrate stormwater runoff.
 6. Identify vegetated areas that can filter sheet flow, removing sediment and other pollutants, and increasing the time of concentration.
 7. Disconnect impervious areas by allowing runoff from small impervious areas to be directed to pervious areas where it can be infiltrated or filtered.
 8. Runoff from downspouts, driveways and other impervious areas shall be directed to pervious surfaces, where feasible.
 9. Adequate use of buffers around streams, steep slopes, and wetlands to protect from flood damage and provide additional water quality treatment.
- h. *Pond requirements.* For all projects creating more than one acre of new impervious surface, ponding shall be required. At a minimum all pond design specifications shall conform to the current requirements found in the NPDES construction permit. In addition the following are required:

1. All stormwater ponds shall be provided with a forebay area to provide for the settlement of fine sand sized particles.
 2. Pond side slopes shall not exceed 4 feet horizontal to 1 foot vertical (4:1) and should provide a bench just at the normal water level with side slopes no less than 10 feet horizontal to 1 foot vertical (10:1) for safety considerations.
 3. All public and private owned stormwater management facilities shall provide an unobstructed access path (minimum of twenty (20) feet) capable of supporting light truck traffic during normal weather for the purpose of conducting inspections of the facility and maintenance thereof.
 4. To provide proper protection for adjacent and downstream property, the design storm interval for the ponding area is a 100-year, 24-hour storm with correctly sized discharge and overflow conveyances for 100-year, 24-hour storm flows consistent with standards used by cities, townships, counties, state, and federal agencies in planning for the flood protection of homes and public facilities. Pond discharge must be planned to identify, minimize and mitigate impacts to downstream and adjacent properties from pond overflows.
- i. *Minimum protection for lakes and wetlands.* Rivers, streams, lakes, and wetlands shall be protected from runoff generated during construction and after completion of the development. Runoff shall not be discharged directly into wetlands without appropriate quality and quantity runoff control, depending on the individual wetland's vegetation. Wetlands may not be drained or filled, wholly or partially, unless replaced by either restoring or creating wetland areas of at least equal public value and consistent with the Minnesota Wetland Conservation Act of 1991.
 - j. *Buffer protection for rivers, streams, lakes, and wetlands.* Fairmont City Code, sections [26-516](#) and [26-517](#) and required building setbacks in the underlying zoning district shall provide the minimum buffer protection required. The community development department and the city engineer may require additional setbacks as dictated make up of the sites. All buffering areas must be maintained to prevent unreasonable or excessive erosion and sedimentation
 - k. *Regional ponding.* Is encouraged where practical. The city may allow off-site stormwater management and associated fees, provided that provisions are made to manage stormwater by an off-site facility, and provided that all of the following conditions for the off-site facility are met:
 1. The facility is designed and adequately sized to provide a level of stormwater control that at least meets the ordinance standards.
 2. The city is satisfied that the facility has a legally obligated entity responsible for its long-term operation and maintenance.

CHAPTER 25 – UTILITIES

ARTICLE IX. STORMWATER MANAGEMENT

Sec. 25-1002. Stormwater management

Sec. 25-1000. Statutory authorization, purpose and scope.

- (a) *Statutory authorization.* This article is adopted pursuant to the authorization and policies contained in Minnesota Statutes Chapters 103B, 103F.401, 103F.441 and 462, and Minnesota Rules Chapters 7050, 7090 and 8410. This article is intended to meet the current construction site erosion and sediment control and post-construction stormwater management regulatory requirements for construction activity and small construction activity (NPDES Permit) as defined in 40 CFR pt. 122.26(b)(14)(x) and (b)(15), respectively.
- (b) *Purpose.* The purpose of this article is to set forth the minimum requirements for stormwater management that will diminish the threats to public health, safety, public and private property and the natural resources of the community from uncontrolled stormwater runoff and construction site erosion by establishing performance standards that:
- (1) Protect life and property from dangers associated with flooding;
 - (2) Protect public and private property from damage resulting from runoff or erosion protecting life and property from dangers associated with flooding;
 - (3) Ensure the annual runoff rates and volumes from post development site conditions mimic the annual runoff rates and volumes from predevelopment site conditions;
 - (4) Provide site design that minimizes the generation of stormwater and maximizes pervious areas for stormwater treatment;
 - (5) Promote regional stormwater management by watershed;
 - (6) Provide a consistent set of performance standards that apply to all developments;
 - (7) Protect water quality from nutrients, pathogens, toxins, debris, and thermal stress;
 - (8) Promote infiltration and groundwater recharge;
 - (9) Provide a vegetated corridor (buffer) to protect water resources from development;
 - (10) Protect functional values of natural water courses and wetlands;
 - (11) Provide plant and animal habitat and support riparian ecosystems;
 - (12) Provide procedures to achieve a targeted eighty (80) percent reduction in sediment load rates to community waters as compared to no controls for all new development; a forty (40) percent reduction in sediment load rates as compared to no controls for all redevelopment and street reconstruction; and a twenty (20) percent reduction in sediment load rates as compared to no controls for existing developments.
- (c) *Scope.* No person shall develop any land for residential, commercial, industrial, or institutional uses without having provided stormwater management measures that control or manage runoff from such developments during construction and after construction, in compliance with the requirements of this article.

Sec. 25-1002. Stormwater management.

The following standards shall apply to all developments within the City of Fairmont:

- (a) *Stormwater management plan.* Every applicant for a building permit that involves disturbing one-half acre of land or more, must submit a stormwater management plan to the community development department. No building permit, subdivision approval, or permit to allow land disturbing activities shall be issued until approval of this plan. All plans shall be consistent with National Pollution Discharge Elimination Permit (NPDES) requirements.
- (1) *General policy on stormwater runoff rates.* Site plans for new development of one half acre or larger will be reviewed for stormwater quantity control and stormwater quality management. The general policy on stormwater runoff rates is to reduce the impacts of development by maintaining predevelopment hydrological conditions. When a site is designed for new or renewed development, the hydrologic regime can be altered in the following ways:
 - a. Increased runoff volume.
 - b. Increased imperviousness.
 - c. Increased flow frequency, duration, and peak runoff rate.
 - d. Reduce infiltration (groundwater recharge).
 - e. Modification of the flow pattern.
 - f. Faster time to peak, due to shorter time of concentration through storm sewers.
 - g. Loss of storage.
 - h. Accelerated channel erosion.
- (b) *Stormwater management plan requirements.* The minimum requirements of the stormwater management plan shall be consistent with the most recent version of the Minnesota Pollution Control Agency's NPDES Construction Permit Requirements:
 - (1) Identification and description.
 - a. Project name;
 - b. Project type (residential, commercial, industrial, road construction, or other);
 - c. Project location;
 - d. County parcel identification number (legal description);
 - e. Names and addresses of the owner of record, developer, land surveyor, engineer, designer of the plat, and any agents, contractors, and subcontractors who will be responsible for project implementation;
 - f. Identification of the entity responsible for long term maintenance of the project;

- g. Phasing of construction with estimated start date, time frames and schedules for each construction phase, and completion date;
- h. Copies of permits or permit applications required by any other governmental entity or agencies including mitigation measures required as a result of any review for the project (e.g. wetland mitigation, EAW, EIS, archaeology survey, etc.).

CHAPTER 25 – UTILITIES

ARTICLE IX. STORMWATER MANAGEMENT

Sec. 25-1002. Stormwater management

- (i) *Inspections and enforcement.* Inspections will be performed during construction to ensure that stormwater management plan measures are properly installed and maintained.
 - (1) *Construction stop order.* The community development department may issue construction stop orders until stormwater management measures meet specifications.
 - (2) *Perimeter breach.* If stormwater management measures malfunction and breach the perimeter of the site, enter streets, other public areas, or water bodies, the applicant shall immediately develop a cleanup and restoration plan, obtain the right-of-way from the adjoining property owner, and implement the cleanup and restoration plan within forty-eight (48) hours of obtaining permission. If in the discretion of the community development department, the applicant does not repair the damage caused by the stormwater runoff the city may do the remedial work required and charge the cost to the applicant.
 - (3) *Actions to ensure compliance.* The city may take the following action in the event of a failure by applicant to meet the terms of this article:
 - a. Withhold inspections or issuance of certificates or approvals.
 - b. Revoke any permit issued by the city to the applicant.
 - c. Conduct remedial or corrective action on the development site or adjacent site affected by the failure.
 - d. Charge applicant for all costs associated with correcting the failure or remediating the damage from the failure.
 - e. Bring other actions against the applicant to recover costs of remediation or meeting the terms of this article.
 - f. Any person, firm or corporation failing to comply with or violating any of the provisions of this article, shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of this article is committed, continued or permitted, shall constitute a separate offense. All land use and building permits held by the applicant will be suspended until the applicant has corrected any and all violations.



**Minnesota Pollution
Control Agency**

520 Lafayette Road North
St. Paul, MN 55155-4194

MS4 Pond, Wetland, and Lake Inventory Form

Municipal Separate Storm Sewer System (MS4) Program

Doc Type: Plans/Specifications/Maps

Name of MS4 Permittee	Date form completed	Unique ID Number	Type of Feature (Pond, Wetland or Lake)	Feature Common Name (If Applicable)	Y Coordinate (Latitude) Decimal Degrees	X Coordinate (Longitude) Decimal Degrees
City of Fairmont	12/11/2013	FMTLK0001	Lake	Amber Lake	43.606872	-94.473421
City of Fairmont	12/11/2013	FMTLK0002	Lake	Hall Lake	43.622138	-94.467671
City of Fairmont	12/11/2013	FMTLK0003	Lake	Budd Lake	43.639741	-94.467503
City of Fairmont	12/11/2013	FMTLK0004	Lake	Sisseton Lake	43.650764	-94.468243
City of Fairmont	12/11/2013	FMTLK0005	Lake	Lake George	43.661648	-94.468155
City of Fairmont	12/11/2013	FMTWTL0001	Wetland	Kramher Slough	43.612512	-94.466791
City of Fairmont	12/11/2013	FMTWTL0002	Wetland	Hall Slough	43.62392	-94.458303
City of Fairmont	12/11/2013	FMTPN0001	Pond		43.684593	-94.445933
City of Fairmont	12/11/2013	FMTPN0002	Pond		43.642126	-94.443443
City of Fairmont	12/11/2013	FMTPN0003	Pond	Luedtke Slough	43.631731	-94.458947
City of Fairmont	12/11/2013	FMTPN0004	Pond		43.671196	-94.454352
City of Fairmont	12/11/2013	FMTPN0005	Pond		43.673326	-94.444677
City of Fairmont	12/11/2013	FMTPN0006	Pond		43.644273	-94.446486
City of Fairmont	12/11/2013	FMTPN0007	Pond		43.640344	-94.452091
City of Fairmont	12/11/2013	FMTPN0008	Pond		43.639678	-94.448009
City of Fairmont	12/11/2013	FMTPN0009	Pond		43.651655	-94.460508
City of Fairmont	12/11/2013	FMTPN0010	Pond		43.628658	-94.455347
City of Fairmont	12/11/2013	FMTPN0011	Pond		43.641082	-94.458339
City of Fairmont	12/11/2013	FMTPN0012	Pond		43.641089	-94.458976
City of Fairmont	12/11/2013	FMTWTL0003	Wetland		43.657504	-94.445153
City of Fairmont	12/11/2013	FMTPN0013	Pond		43.607244	-94.465727
City of Fairmont	12/11/2013	FMTPN0014	Pond		43.63057	-94.450463
City of Fairmont	12/11/2013	FMTPN0015	Pond		43.664558	-94.450616
City of Fairmont	12/11/2013	FMTPN0016	Pond		43.651159	-94.446922
City of Fairmont	12/11/2013	FMTPN0017	Pond		43.646933	-94.451851
City of Fairmont	12/11/2013	FMTPN0019	Pond		43.669642	-94.495307
City of Fairmont	12/11/2013	FMTPN0020	Pond		43.671117	-94.495728
City of Fairmont	12/11/2013	FMTPN0021	Pond		43.671791	-94.458056
City of Fairmont	12/11/2013	FMTPN0022	Pond		43.671448	-94.458944

